

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION

MAR 15 2007

JOHN A. STOLEY  
BY   
DEPUTY CLERK

PENN VIRGINIA OIL & GAS	)	Civil Action No. 1:06cv00090
CORPORATION,	)	
	)	
Petitioner,	)	<u>FINAL JUDGMENT AND</u>
	)	<u>ORDER</u>
v.	)	
	)	
CNX GAS COMPANY, LLC,	)	By: GLEN M. WILLIAMS
	)	Senior United States District
Respondent.	)	Judge

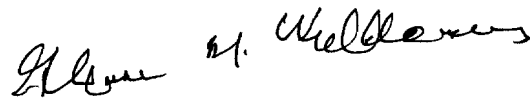
This case comes before the court on request for review of a prior arbitration proceeding between the petitioner, Penn Virginia Oil & Gas Corporation, ("Penn Virginia"), and the respondent, CNX Gas Corporation, LLC, ("CNX"). Penn Virginia filed an application with the court seeking the confirmation of an arbitration award, (Docket Item No. 1), ("Complaint"). Thereafter, CNX filed a motion to vacate the arbitration award, (Docket Item No. 7.), ("Motion to Vacate"), which is currently before the court. The case was referred to the Honorable Pamela Meade Sargent, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge submitted a report and recommended disposition of this case recommending the court deny the respondent's Motion to Vacate and enter judgment in favor of the petitioner, (Docket Item No. 20). The respondent objected to the Magistrate Judge's report by filing CNX Gas Company LLC's Objections to Report and Recommendation, (Docket Item No. 21), ("Objections"), on March 13, 2007. The court, upon a review of the record, is of

the opinion that the Magistrate Judge's report should be affirmed.

Thus, for the reasons detailed in the Magistrate Judge's report and recommendation, the respondent's Motion to Vacate is hereby **DENIED**, and judgment is hereby entered in favor of the petitioner confirming the arbitration panel's award.

The Clerk is directed to enter this Order and to send copies of this Order to all counsel of record. The Clerk is further directed to close this matter and strike it from the court's docket.

**ENTER:** This 15 day of March, 2007.

A handwritten signature in cursive script, appearing to read "Glen M. Williams", is written above a horizontal line.

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**THE HONORABLE GLEN M. WILLIAMS**  
**SENIOR UNITED STATES DISTRICT JUDGE**